

_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING CARBON MONOXIDE DETECTORS FOR LODGING FACILITIES; PROVIDING AUTHORITY TO THE DEPARTMENT OF JUSTICE TO ADOPT RULES REGARDING ACCEPTABLE TYPES OF CARBON MONOXIDE DETECTORS; AND AMENDING SECTION 50-3-103, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Carbon monoxide detectors.** (1) A hotel, motel, roominghouse, bed and breakfast, tourist home, guest ranch, or outfitting and guide facility shall install and maintain carbon monoxide detectors in rooms that provide sleeping accommodations.

(2) The carbon monoxide detectors must be:

(a) installed and maintained according to manufacturers' recommendations; and

(b) operable when a room is rented as a sleeping accommodation.

(3) For the purposes of this section, "carbon monoxide detector" means a device:

(a) with an assembly that incorporates a sensor control component and an alarm notification that detects elevations in carbon monoxide levels and sounds a warning alarm;

(b) that is operated from a power supply within the unit or wired to it from an outside source; and

(c) that is approved or listed for the purpose of detecting elevated carbon monoxide levels by underwriters laboratory or another nationally recognized independent testing laboratory and is of a type approved by the department of justice under 50-3-103.

Section 2. Section 50-3-103, MCA, is amended to read:

"50-3-103. Rules promulgated by department. (1) Rules ~~promulgated~~ adopted by the department ~~by~~ under the authority of 50-3-102 must be reasonable and calculated to effect the purposes of this chapter. The rules must include but are not limited to requirements for:

(a) design, construction, installation, operation, storage, handling, maintenance, or use of structural requirements for various types of construction;

(b) building restrictions within congested districts;

- 1 (c) exit facilities from structures;
- 2 (d) fire extinguishers, fire alarm systems, and fire extinguishing systems;
- 3 (e) fire emergency drills;
- 4 (f) flammable liquids;
- 5 (g) application of flammable finishes;
- 6 (h) explosives, acetylene, liquefied petroleum gas, and similar products;
- 7 (i) calcium carbide and acetylene generators;
- 8 (j) flammable motion picture film;
- 9 (k) combustible fibers;
- 10 (l) hazardous chemicals or materials;
- 11 (m) rubbish;
- 12 (n) open-flame devices;
- 13 (o) parking of vehicles;
- 14 (p) dust explosions;
- 15 (q) lightning protection;
- 16 (r) storage of smokeless powder and small arms primers;
- 17 (s) carbon monoxide hazards; and
- 18 ~~(s)~~(t) other special fire hazards.

19 (2) If rules relate to building and equipment standards covered by the state building code or a county,
20 city, or town building code, the rules are effective upon approval of the department of labor and industry and filing
21 with the secretary of state.

22 (3) Federal or other nationally recognized standards for fire protection may be adopted in whole or in
23 part by reference.

24 (4) Rules must be adopted as prescribed in the Montana Administrative Procedure Act.

25 (5) Rules ~~promulgated~~ adopted by the department may not prevent the installation of an aboveground
26 storage tank in a community, city, or town with a population of 1,500 or less if the tank is installed in conformance
27 with all other applicable laws and regulations.

28 (6) Rules ~~promulgated~~ adopted by the department may not require diked areas or heat-actuated or other
29 shutoff devices for storage tanks containing class I or class II liquids, as defined in the uniform fire code, intended
30 only for private use on farms and ranches.

(7) A person violating any rule made under the provisions of this part is guilty of a misdemeanor."

NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 50, chapter 51, part 1, and the provisions of Title 50, chapter 51, part 1, apply to [section 1].

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